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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,076	05/21/2001	Jurgen Adams	V5285	7578

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Martin A. Farber
Suite 473
866 United Nations Plaza
New York, NY 10017

EXAMINER

CHUNG, DAVID Y

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,076

Applicant(s)

ADAMS, JURGEN

Examiner

David Y. Chung

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-17 and 22 is/are rejected.
- 7) ☒ Claim(s) 18-21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 11-13 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Jueliger (U.S. 5,490,005).

As to claim 11, Jueliger discloses a light guide for a display device that is disposed as a light-collecting film in front of or behind a display device and which detects the ambient light and the light from an illumination device incident on the display device. Note in figure 4, the light guide 1, liquid crystal display 3, and transflector 5. Ambient light (light flux A) falls onto the light guide and is partially deflected in the light guide onto lateral surfaces C-F. The transflector 5 has the function of reflecting the light flux A, so that the ambient light is used essentially for illumination of LCD display 3.

As to claim 12, Jueliger discloses that liquid crystal display 3 in figures 3-6 is a transmissive display. See column 3, lines 10-20.

As to claim 13, Jueliger discloses that the light-collecting film of light guide 1 is made of plastic. See column 5, lines 20-25.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 14-17 and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Jueliger (U.S. 5,490,005).

As to claim 14, Jueliger does not disclose that the reflective surface of the transflector is white in color. However, it was well known and obvious to color a reflective surface white because it was an easy way to increase the reflectivity of the surface. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to color the reflective surface of the transflector white in order to increase its reflectivity.

As to claim 15, Jueliger does not disclose analog display devices with scales. However, these types of devices were common and conventional within a motor vehicle for displaying information to the driver. Therefore, it would have been obvious to one of

ordinary skill in the art at the time of invention to include analog display devices with scales so that the system could be used in a motor vehicle to display information to the driver.

As to claim 16, Jueliger discloses in figure 4, a photosensor 2 and a light source 21. The photosensor receives a part of the light flux A but is arranged with its light-sensitive surface so that light flux A cannot fall directly into it. The photosensor has electrical connecting leads from which an electrical signal proportional to the light flux A can be picked off. Figure 2 shows an evaluating circuit 20, which evaluates the electrical signal from photosensor 2 to regulate the illumination intensity of light source 21.

Jueliger does not disclose using LED's as the light source 21. However, LED's were a common and conventional light source because they were cost effective. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to use LED's as the light source because they were cost effective.

As to claim 22, using the system of claim 11 in a utility vehicle or bus is a statement of intended use that does not in any way limit the structure, and is therefore not given any patentable weight. It would have been obvious to one of ordinary skill in the art at the time of invention to use the system of claim 11 in a utility vehicle or bus because this would have been merely intended use.

Allowable Subject Matter

3. Claims 18-21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Chung whose telephone number is (703) 306-0155. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.

ROBERT W. HINN
SUPERVISOR
TECHNICAL
CHUNG
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